

CHAPTER 04:03
JUDGES (MISCELLANEOUS PROVISIONS)
ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Remuneration of Justice of Appeal
3. Remuneration of Chief Justice
4. Remuneration of Judge of the High Court
5. Non-pensionable appointment for persons otherwise eligible for pension
6. Accrual and payment of gratuity
7. Calculation of gratuity
8. Gratuity to be exempt from income tax

Act 6, 1996,
Act 5, 1997,
Act 10, 1998,
Act 14, 1999,
Act 6, 2000,
Act 11, 2001,
Act 13, 2001,
Act 8, 2002,
Act 12, 2004,
Act 12, 2006,
Act 9, 2007,
Act 17, 2007,
Act 17, 2008.

An Act to re-enact with amendments the Judges (Miscellaneous Provisions) Act which prescribed the salaries and allowances of Judges of the Court of Appeal and the High Court and matters ancillary thereto.

[Date of Commencement: 1st April, 1996]

1. Short title

This Act may be cited as the Judges (Miscellaneous Provisions) Act.

2. Remuneration of Justice of Appeal (1) There shall be paid to the President of the Court of Appeal, in addition to the amounts specified in subsection (2), an allowance at the rate of P27,600 a year.

(2) There shall be paid to every Justice of Appeal-

- (a) a fee of P6,900 in respect of every session of the Court of Appeal attended by that judge;
- (b) a fee of P5,750 for each day necessarily occupied by the judge in travelling to the seat of the Court, attending the session of the Court, and returning home after its conclusion; and
- (c) a subsistence allowance of P345 per day, or the cost of any hotel accommodation necessarily incurred (whichever is the greater) in respect of each day necessarily occupied in the manner specified in paragraph (b).

3. Remuneration of Chief Justice The Chief Justice shall be paid-

- (a) a salary at the rate of P506,268 a year;
- (b) in the case of a Chief Justice whose service is not by virtue of any law pensionable, a gratuity determined in accordance with the provisions of section 7; and
- (c) an entertainment allowance at the rate of P4,980 a year.

4. Remuneration of Judge of the High Court A judge of the High Court shall be paid-

- (a) at the rate of P444,108 a year; and
- (b) in the case of a judge whose service is not by virtue of any law pensionable, a gratuity determined in accordance with the provisions of section 7.

5. Non-pensionable appointment for persons otherwise eligible for pension

Without prejudice to the provisions of sections 3(b) and 4(b), a person, otherwise eligible to be appointed to the office of Chief Justice or a judge of the High Court on pensionable terms, may be appointed on such other terms and conditions as may be determined by the President.

6. Accrual and payment of gratuity A gratuity at the rate of 30 per cent shall accrue and be payable-

- (a) at the end of each tour of service, a tour of service being a period of either two years or three years, as the case may be, from the date beginning with a judge's assumption of office;
- (b) upon vacation of office by the judge consequent upon reaching the retiring age for judges;
- (c) upon vacation of office by the judge on medical grounds; or
- (d) upon the death of the judge whilst holding office.

7. Calculation of gratuity

A gratuity accruing and payable in accordance with the provisions of section 6 shall be calculated on the basis of the salary payable to the judge (which expression shall hereinafter include the Chief Justice) in accordance with section 3(a) or section 4(a), as the case may be.

8. Gratuity to be exempt from income tax

Any gratuity payable under this Act shall be exempt from income tax.